## **EXHIBIT F**

## FEARS NACHAWATI



#### Firm Background

Fears | Nachawati Law Firm ("Firm") was founded in 2006 and currently has more than 40 attorneys and over 70 support staff. With approximately 15 years' experience handling complex litigation, the firm concentrates its resources on class actions, public client representation, pharmaceutical and medical device injury litigation, water and environmental contamination, and consumer fraud litigation, and has held leadership positions in class actions, public client, water contamination, and mass tort litigation.

The Firm knows complex litigation and has the financial and human resources necessary to see litigation to conclusion. We have attorneys experienced and dedicated to prelitigation strategy, litigation, discovery, briefing and appellate issues, government regulation, settlement negotiations, and trial in state and federal court. Fears Nachawati is in the position to provide turnkey representation on the most complex litigation. The Firm has the financial resources to retain the nation's leading expert witnesses and to see this litigation through as long as it takes, including through years of trials and appeals, if necessary. We have access to and can finance the retention of the nation's best experts. We have access to state-of-the-art document management systems and a deep bench of trial and appellate attorneys for each phase of the litigation.

Fears Nachawati, PLLC has a notable history of representing class members. Fears Nachawati filed one of the first class actions in the nation against Apple for privacy violations arising from tracking of consumers on their iPhones. Freeman, et al. v. Apple, Inc., Case No. 5:2010-cv-05881 (N.D. Cal). Fears Nachawati was also the first in the nation to file a class action against Midstream Media for privacy violations arising from an invasive computer tracking technology known as "history sniffing." Pitner, et al. v. Midstream Media International NV, Case No. 8:10-cv-01850 (C.D. Cal). Both of these cases were resolved through settlement.

Fears Nachawati has also handled class actions outside the privacy cases. Fears Nachawati filed a consumer class action cases filed against Loreal arising from Loreal's failure to warn consumers about the flammability of a particular hair care product. The class was certified. *Guido, et al. v. Loreal USA, Inc.*, Case No. 2:11-cv-01067 (C.D. Cal.). The firm also filed a class action against Dreyer's for false advertising. The class was certified, and the firm was appointed Interim Class Counsel. *Pamela Rutledge-Muhs and Jay Woolwine, et al. v. Dreyer's Grand Ice Cream, Inc.*, Case No. 3:11-cv-03164 (N.D. Cal).

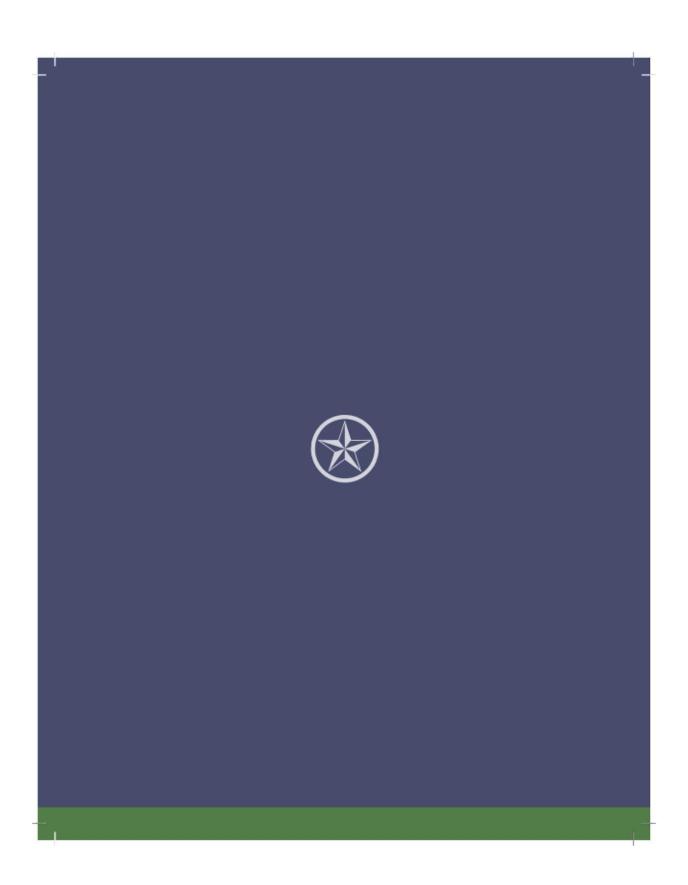
The firm represented NCAA and NFL players, approximately 200 claimants and 250 claimants respectively, in a medical monitoring class actions against the NFL and NCAA. *In re Nat'l Collegiate Athletic Ass'n Student-Athlete Concussion Litig.*, Case No. 1:13-cv-09116 (N.D. III.); see also In re Nat'l Football League Players' Concussion Injury Litig., MDL No. 2323 (E.D.

Gale D. Pearson, Fears Nachawati Senior Counsel was appointed lead counsel in a consumer fraud class action against several large tobacco companies for product defects. *Curtis, et al. v. Altria Group, Inc, (FKA Phillip Morris) et. al.*, No 27-CV-01-18042 (4th Jud. Dist. Ct., Minn.).

Outside the dedicated Class Action Practice, Fears | Nachawati has a history of taking on major causes and working hard to improve the lives of those harmed by wrongdoing. Fears | Nachawati has been involved in complex civil pharmaceutical and medical device litigation. The firm has successfully settled cases for clients which has resulted in multimillion-dollar recoveries for the clients. Fears Nachawati has nearly 16 years of experience in complex pharmaceutical, medical device, and consumer fraud litigation against pharmaceutical and medical device manufacturers and fortune 500 companies and currently represents over 35,000 individuals in cases against pharmaceutical and medical device manufacturers. Fears Nachawati is in national leadership positions on consolidated cases involving medical device and pharmaceuticals including the Plaintiff's Executive Committee in *In re Cook IVC Filters Products Litigation*, MDL 2570, the Plaintiff's Steering Committee in *In re Bard IVC Filters Products Litigation*, MDL 2641, the Plaintiff's Steering Committee in *In re Bard Hernia Mesh Litigation* in Rhode Island. The Firm serves on the trial, discovery, expert and law committees on the consolidated actions listed above.

The Firm also has a vibrant Public Client Practice, which includes the representation of Attorneys General and state subdivisions in litigation involving the national opioid litigation, water and environmental contamination, and fraud litigation in administrative proceedings and state and federal court, including multidistrict litigation and consolidated state court proceedings. The Firm also serves on the Executive Committee for the Texas Opioid MDL.

Recently, Fears | Nachawati trial team successfully tried to verdict a case against the perpetrators of a murder for hire scheme involving millions of dollars in life insurance. The firm obtained a verdict in the amount of approximately \$166 million.



Fears Nachawati has been directly involved in a number of the country's largest litigations involving consumer protection.

Fears Nachawati represents the State of Utah and nearly 100 counties, cities, and hospitals in opioid litigation. The Firm has worked closely and productively with the AGO through the accelerated administrative process.

Partner Ann Saucer represented the State of Mississippi in consumer protection litigation against a manufacturer of a deceptively marketed medical devices resulting in a \$15.7 million settlement. She also represented the States of Mississippi and Hawaii involving the overcharging of fees on credit cards. The cases settled against two of the defendants for \$13.5 million.

Matthew McCarley led a trial team that won a \$166 million verdict in an insurance fraud case in 2018.

The Firm is currently representing the State of New Mexico in a consumer action against a pharmaccutical company for the false advertising and sale of a dangerous product.

The Firm's experience allows us to hit the ground running for any client's new case, to conduct the appropriate investigations, and to see any resulting lawsuits through years of litigation, trials, and appeals. We are confident in our experience, and in our ability to work with any public entity, its attorneys, elected officials, and other staff to investigate the potential claims, identify the potential defendants, draft any appropriate lawsuits, and assist each client to litigate those suits to conclusion.

"By taking part in this litigation, communities are taking their fate into their own hands with the assistance of attorneys nationwide. The ultimate result...will hopefully be a forward-looking pool of resources aimed at letting communities determine how to regain control of their own futures and bring themselves back from the brink."

- Jonathan Novak, Maryland Bar Journal, Spring 2019



#### CONSUMER PROTECTION

"As trial lawyers actively partnering with local governments ravaged by the reckless distribution of highly addictive opioids, we take exception to the unsupported claim that today's addiction problem is primarily the result of illegal fentanyl and meth."

 Bryan Fears and Jonathan Novak, Wall Street Journal, "The Tragic Opioid Crisis Has Many Fathers," September 2019

#### ILLUSTRATIVE REPRESENTATIONS

- · Represent the State of Utah in the Opioid Litigation.
- · Represent approximately 100 cities and counties in the Opioid Litigation.
- · Trial involving insurance fraud case resulting in a \$166 million verdict.
- Successfully represented the State of Mississippi in consumer litigation resulting in a \$15.7 million settlement.
- Successfully represented the State of Mississippi in consumer litigation against a national bank resulting in a \$13.5 million dollar settlement.
- Action against pharmaceutical distribution company for violation of the Controlled Substances Act resulting in a S80 million settlement.
- Represent the State of New Mexico in consumer litigation against the manufacturers of talcum powder.

"We told the jury if they get away with this, the Traveler community is really tight and word is going to get out that this worked and other people are going to try this," McCarley said. "I think that was part of their motivation in delivering a large verdict. They wanted to send a message...that this type of scheme will not be tolerated."

<sup>-</sup> Matthew McCarley, Ft. Worth Star Telegram, May 4, 2018

## MATTHEW McCARLEY FEARS NACHAWATI

-LAW FIRM-

Partner

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mccarley@fnlawfirm.com + www.fnlawfirm.com

Matthew represents clients injured by corporate wrongdoing, with an emphasis on public client litigation and pharmaceutical and medical device litigation. His current practice includes representing government entities in litigation targeting the alleged deceptive marketing and overprescribing of highly addictive opioid painkillers, as well as school districts and universities in litigation against artificial turf manufactures for fraud and violations of the deceptive trade practices act.

Matthew also represents individuals injured by pharmaceutical and medical devices. Matthew currently serves on the Plaintiff's Executive Committee for *In re Cook IVC Filters Products Litigation*, MDL 2570, the Plaintiff's Steering Committee in *In re Bard IVC Filters Products Litigation*, MDL 2641, the Plaintiff's Steering Committee in *In re Cordis IVC Filters Products Litigation* in California and the Plaintiff's Steering Committee in *In re Bard Hernia Mesh Litigation* in Rhode Island. Matthew enjoys pursuing justice for his clients. His previous experience includes work as an in-house attorney for a large corporation. While working as an in-house attorney Matthew gained valuable insight on how corporations deal with claims from individuals. He uses this knowledge to help individuals who, through no fault of their own, have been wrongfully injured or terminated.

Recently, Matthew tried to verdict a case against the perpetrators of a murder for hire scheme involving millions of dollars in life insurance. Matthew obtained a verdict in the amount of approximately \$166 million. Fox v. Mark and Virginia Buckland, Cause No. 141-277896-15 (141st Dist. Court Tarrant County, Texas).

Matthew attended Texas A&M University where he received his Bachelor's degree in International Studies. After college, Matthew earned his Juris Doctor from South Texas College of Law in Houston, Texas. Matthew served a two-year mission for his church and is fluent in Spanish. He enjoys traveling and spending time with his family. Matthew also enjoys providing volunteer service in the community and in his church.



#### PRACTICE AREAS:

Public Client Representation
Water and Environmental
Contamination
Opioid Litigation
Pharmaceutical & Medical Device
Litigation
Employment
Medical Malpractice

#### EDUCATION:

J.D. South Texas College of Law 2003

B.A. Texas A&M University, 1999.

#### LICENSED IN:

Texas Utah Arizona

#### ADMITTED TO PRACTICE: BEFORE:

U.S. District Court for the Southern District of Indiana

U. S. District Court for the Eastern District of Texas

U. S. District Court for the Northern District of Texas

U.S. District Court for the Southern District of Texas

U. S. District Court for the Western District of Texas

U.S. District Court for the District of Utah

#### ASSOCIATIONS:

J. Rueben Clark Law Society American Association for Justice Texas Trial Lawyers Association

#### NOTABLE CASES:

Twice won reversal at the Texas Supreme Court in case involving sexual assault by a former supervisor. In its first appeal, the case established that when a plaintiff alleges sexual assault, rather than sexual harassment, the Texas Commission on Human Rights Act does not preempt the plaintiff's common law assault claim. B.C. v. Steak N Shake Operations, Inc., 512 S.W.3d 276 (Tex. 2017). In the second appeal to the supreme court, it held that "the trial court's recital that it considered the 'evidence and arguments of counsel,' without any limitation, is an 'affirmative indication' that the trial court considered any late-filed evidence. B.C. v. Steak N Shake Operations, Inc., 598 S.W.3d 256, 261 (Tex. 2020).

Obtained a verdict in the amount of approximately \$166 million in a case involving a murder for hire scheme to obtain millions of dollars in life insurance. Fox v. Mark and Virginia Buckland, Cause No. 141-277896-15 (141st Dist. Court Tarrant County, Texas). The verdict is thought to be the largest personal injury verdict to have been obtained in Tarrant County.

#### PRESENTATIONS:

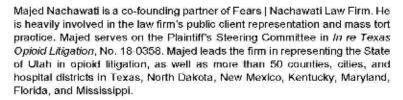
- · Business Interruption Insurance Webinar (April 2020)
- Hernia Mesh 101, HarrisMartin's MDL Conference: Orthopedic Devices and Hernia Mesh Litigation (September 2017)

### MAJED NACHAWATI

## FEARS NACHAWATI

LAW FIRM.

Founding Partner 214.461.6170 phone • 214.890.0712 fax mn@fnlawfirm.com • www.fnlawfirm.com



Majed has led the firm developing a strong mass tort and class action practice. The firm holds leadership positions in the Bard Hernia Mesh MDL, the Bard IVC Filter MDL, the Cook IVC Filter MDL, and the Cordis IVC Filter MDL. The law firm filed one of the first class actions against Dreyers Ice Cream for false advertising and was appointed Interim Class Counsel. In addition, the law firm filed the first class action in the nation against Midstream Media for privacy violations arising from an invasive computer tracking technology known as "history sniffing," one of the first class actions against Apple for privacy violations arising from tracking of consumers on their iPhones, and one of the first known consumer class actions against Loreal arising from the company's failure to warn consumers about the flammability of a particular hair care product.

Last year, under Majed's leadership, the firm provided onsite trial briefing support for a three-week Cook IVC filter trial and was part of the team that received a \$3 million design defect verdict—the first in the country against an IVC filter manufacturer. And last year, the firm tried a case against the perpetrators of a murder for hire scheme involving millions of dollars in life insurance and obtained a verdict of approximately \$166 million.



#### PRACTICE AREAS:

Public Client Representation
Water and Environmental
Contamination
Opioid Litigation
Pharmaceutical & Medical Device
Litigation

#### EDUCATION:

J.D. University of Houston Law School, 2003 B.A. Southern Methodist University

#### LICENSED IN:

Texas Arkansas

### ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court
U.S. Court of Appeals for the
Federal Circuit
U.S. District Court for the Eastern
District of Texas
U.S. District Court for the Northern
District of Texas

U.S. District Court for the Southern District of Texas.

U.S. District Court of Colorado

The son of a first-generation Middle Eastern immigrant father and a Hispanic mother, Majed did not grow up in a life of privilege. He discovered the law as a way to make a difference in his own life and in the lives of his clients. He began his legal career as a two-year judicial law clerk with the Thirteenth Court of Appeals of Texas. Majed works tirelessly to build the relationships and do the work that will create change. He sees practicing law as a calling—not just a career.

Majed serves on the State Bar of Texas Committee on Professionalism and is the District Chairman for the Grievance Committee for the State Bar of Texas, District 6, for which he has been an appointed member for the past five years. He serves as a Committee Member for The Dallas Bar Association's Legal Ethics Committee and Lawyer Referral Service Committee. Majed also serves as member of the Board of Directors of Public Justice and the Board of Directors for the Texas Trial Lawyers Association. He is an appointed member of The William 'Mac" Taylor American Inn of Court. He is a former member of the State Bar of Texas Committee for Diversity in the Profession.

Majed also serves as a mentor to law students at the University of North Texas School of Law. He has sponsored the Junior League of Dallas, the Attorneys Helping the Community 5K, Feed My Starving Children, the Texas Crime Victims Compensation Fund, and the Lone Star Race Benefiting Children with Disabilities. Through the law firm, he has also participated in relief efforts to address natural disasters, including Humanitarian Relief for Families Affected by Hurricane Harvey, and volunteered with DFW Detained.

When he can get away from the law, he spends his time with his wife Alma and their two young children.

#### RECOGNITIONS:

- D Magazine Best Lawyers in Dallas for Mass Torts 2014-2015, 2018-2019
- Texas Lawyer Super Lawyer 2015-2019
- Texas Lawyer Rising Star 2010-2015

#### PROFESSIONAL SERVICE:

- State Bar of Texas, Committee on Professionalism, 2019-2022
- State Bar of Texas, Committee on Diversity in the Profession, 2006-2009
- State Bar of Texas, Grievance Committee, District 6, District Chairman, 2018-2019, Member, 2013-2019
- Dallas Bar Association, Legal Ethics Committee, 2017-2019
- Dallas Bar Association, Publications Committee, 2020
- Dallas Bar Association, Lawyer Referral Service Committee, 2017-2019
- Public Justice, Board Member, 2015-2020
- Texas Trial Lawyers Association, Board Member, 2016-2020.

#### ASSOCIATIONS:

- Texas Trial Lawyers Association
- Member of Texas Trial Lawyers Association PAC
- American Association for Justice
- Leaders Forum of American Association for Justice PAC
- Public Justice

- American Bar Association.
- Dallas Bar Association
- Dallas Trial Lawyers Association
- Dallas Hispanic Bar Association
- Hispanic National Bar Association

#### PRESENTATIONS:

- Taxotere Litigation Update, Mass Tort Nexus, 2018
- Ethics and Mass Torts, Masters of Mass Tort, 2018
- Building a Case Against a Distributor: Federal Duties, Responding to the Opioid Crisis, American Association for Justice Winter Convention, 2018
- Conflicts of Interest and Ethical Considerations when Representing Clients in the Opioid Litigation, American Association for Justice Rapid Response Opioid Litigation Conference, 2017
- Case Selection Criteria, HarrisMartin Publishing National Opioid Litigation Conference, 2017
- Update on Transvaginal Mesh Litigation, American Association for Justice Convention, 2014
- Transvaginal Mesh Litigation—Recent Developments and Overall Status of Litigation, American Association for Justice Convention, 2013
- Conquering Negotiation and Settlement Strategies to Win Cutside of Trial, American Association for Justice Winter Convention, 2013

#### PUBLICATIONS:

- Majed Nachawati and Misty Farris, <u>Mandatory State Bars Likely To Remain Intact</u>, For Now, Law360 (June 22, 2020)
- Majed Nachawati and S. Ann Saucer, <u>PFAS Water Contamination Litigation</u>: The Fight for Safe Drinking Water, Headnotes (May 2019).

## **BRYAN FEARS**

## FEARS NACHAWATI

-LAW FIRM-

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Bryan Fears is the co-founding partner at Fears Nachawati Law Firm. As a co-founder, Bryan is responsible for overseeing the law firm's operations, as well as the firm's business, intellectual property, and mass torts. He and Majed work together closely in guiding the firm's public client practice, including the firm's work in water contamination and opicid litigation.

As a first-generation college graduate, early on Bryan set a goal of becoming a lawyer while working in his hometown at a South Texas steel mill and nearby off-shore oil rig platforms. Since obtaining his goal of becoming a lawyer, Bryan has spent the last decade devoting his time to his legal practice, clients, and being involved in the Callas County community.

In his off time, Bryan enjoys spending time with his loved ones, running and working on his family's East Texas vineyard.

Bryan aftended Baylor University where he received his bachelor's degree in Biology. After college, Bryan earned his Juris Doctor from South Texas College of Law in Houston, Texas

Bryan has successfully forged relationships that have resulted in negotiated settlements on behalf of the firm's mass tort docket

PRACTICE AREAS: PROFESSIONAL RECOGNITIONS Super Lawyers Rising Star, 2012 2016



Public Client Representation Water and Environmental Contamination Opioid Litigation Pharmaceutical and Medical Device Litigation Intellectual Property and Business Transactions

Litigation

#### EDUCATION:

J.D. South Texas College of Law 2003 B.S. Baylor University, 2000

#### LICENSED IN:

State Bar of Texas State Bar of Oklahoma State Bar of Colorado

#### ADMITTED TO

PRACTICE BEFORE:

United States District Court of Colorado United States District Court

- -- Eastern District of Texas
- United States District Court
- Western District of Texas
   United States District Court
- Northern District of Texas
- United States District Court
- Southern District of Texas

#### ASSOCIATIONS:

Texas Trial Lawyers Association
American Bar Association
American Association for Justice
National Association of Consumer Bankruptcy Attorneys
National Association of Consumer Advocates
Dallas Trial Lawyers Association
College of the State Bar of Texas
Million Dollar Advocates Forum

## GALE D. PEARSON FEARS NACHAWATI

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Over her 25-year legal career, Gale Pearson has served in leadership roles in many private and multi-district mass tort litigations. On April 26, 2019, she was appointed to the Plaintiff's Steering Committee for the National Environmental Water Contamination Case involving PFAS contamination: In Re. Aquecus Film-Forming Foams Products Lieblity Litigation, No. 18-2873. Her experience Itigating PFAS water contamination cases began almost 15 years ago when Gale and a team of attorneys filed suit in state court against 3M at its corporate headquarters in Washington County, Minnesota, for environmental water contamination damages caused by its manufacturing and disposal practices of Perfluorochemicals (PFAS). The case resulted in a six-week trial, where the court found evidence that 3M acted with reckless disregard to the rights and safety of others. Shortly after that trial, the Minnesota Attorney General's office filed suit against 3M for "Damages to Minnesota's Natural Resources" based on documents discovered by Ms. Pearson's team. That case resulted in a \$850 million settlement against 3M.

She also practices in the area of qui tam litigation, including serving as co-lead trial counsel against a nursing home owner alleging the nursing home provided worthless services to its residents. Ms. Pearson and her team took this 'first of its kine' qui tam case to trial, obtaining a multi-million-dollar verdict against the owner of a Nursing Home in favor of her clients and the U.S. government. For this accomplishment, she was a nominated as a finalist for Public Justice's Trial Lawyer of the Year and a named Top 100 Trial Lawyer.

In 2003, Supreme Court Justice Stephen Breyer presented her the Outstanding Pro-Bono Service Award for her work with the September 11th Victim Compensation Fund.

Ms. Pearson's skills go far beyond her legal degree, including undergraduate work in Laboratory Medicine, Physics and Chemistry, working as a Board-Certified Clinical Laboratory Scientist prior to law school. She is also a Certified Real Property Appraiser. Ms. Pearson is a frequent lecturer on complex litigation, water contamination and scientific legal topics.



#### PRACTICE AREAS: Public Client Litigation Water Contamination Environmental Contamination

#### EDUCATION: JD Loyels Law School, Los Angeles, 1993 B.A. California University, Northridge, 1985

#### LICENSED IN: Minnesota

## ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court
U.S. Court of Appeals for the
Seventh Circuit
U.S. Court of Appeals for the
Eighth Circuit
U.S. District Court for the
Central District of Illinois
U.S. District Court for the
District of Minnesota

#### ASSOCIATIONS:

American Association for Justice Public Justice, Board Member American Bar Association Minnesota State Bar Association Hennepin County Bar Association Minnesota Association for Justice Minnesota Women Trial Lawyers Association

- "Water Contamination", Archer, February 27-28, 2019, Cancun, Mexico.
- Co-Chair, PFAS Water Contamination Conference, HarrisMartin, October 31, 2019, Miami, Florida.
- "Ethical Concerns in Settlement Language," American Association for Justice, July 15, 2020.
- "Science, Liability, and History of PFAS Water Cases," Co-Chair, HarrisMartin Water Contamination Litigation Webinar Series, July 16, 2020.

#### PUBLICATIONS:

- "Unlearning the Costly Lessons of West," Waco Tribune-Herald, December 7, 2019.
- "Bias in Clinical Trials," Trial Magazine, September 2007.

#### RECOGNITIONS:

- Minnesota Super Lawyers, 2015 Present.
- Minnesota Top Women Attorneys
- Martindale-Hubble AV® Preeminent rating™
- 2014, Top 100 Trial Lawyers, The National Trial Lawyers
- 2014, Top 100 Verdicts for 2013
- Named to Million Dollar Advocates Forum
- 2013 Nominee, Public Justice Trial Lawyer of the Year
- Outstanding Trial Lawyer, Wyoming Trial Lawyers Association
- Outstanding Pro-Bono Service to Victims of 911, Recognized by Justice Stephen Breyer and Trial Lawyer's Care, 2003
- Consumer Attorneys of California, Award: "Valuable Contributions in the Field for Continuing Legal Education and the Improvement of the Administration of Justice"

#### PRESENTATIONS:

- Women's Violence in the Work Place symposium: "Violence in the Workplace-Employer's liability"
- Women Against Silicone Poisoning Seminar: "Silicone Breast Implants: the Science and the Law."
- Chicago, Illinois, ATLA Summer Seminar: "Evidentiary Issues of Phen-Fen Induced Valvular Heart Disease."
- New Orleans, Louisiana; ATLA mid-winter Seminar: "Statute of Limitations-A Minnesota Exception."
- Alexandria, Minnesota, Minnesota Trial Lawyers Association, Summer Convention: "Epidemiology and Daubert."
- Minneapolis, Minnesota, Minnesota Trial Lawyers Association: "Ethics and Elimination of Bias."
- Minneapolis, Minnesota, Minnesota Trial Lawyers Association: "Federal Officer Removal Statute."
- Phoenix, Arizona, ATLA Summer Seminar, "Whom to Sue and where in PPA Litigation".
- Alexandria, Minnesota, "Should You Take a Tobacco Case?"
- New Orleans, Louisiana, Mealey's Propulsid Seminar. "Can your Propulsid Case Survive a Daubert Challenge?"
- Seattle, Washington, "Driving a Truck Through the Defendant's Claim of Safety and Efficacy in Clinical Trials"
- Bismarck, South Dakota, "Medicare Secondary Payor Act, Compliance Under the New Statute."
- Alexandra, Minnesota, "Medicare Secondary Payor Act and the Medicare Reporting Act, Contrasted and Made Simple."
- New Orleans, Louisiana, San Diego, California, "Cardiotoxicity of Dextroproposyphene and Propoxyphene, Darvon, Another 70's Fad You Will Regret."
- St. Paul, Minnesota, Minnesota State Bar Association: "Litigating with Epidemiological Evidence"
- Duluth, Minnesota, Minnesota Association for Justice: 'Trial Strategies in Federal Court.'
- Washington D.C., 'The Use of Expert Witnesses in a Qui Tam Trial'
- "A Quick Primer on the Cause of Hospital Acquired Infections."

- Minneapolis, Minnesota, Minnesota State Bar Association, "Generic Drugs and Recent Preemption Decisions," American Association of Justice, San Francisco, California.
- "Preemption and Medical Devices, a Plaintiff's Perspective," Minnesota State Bar Association, Minneapolis, Minn.
- San Francisco, California, "Minnesota's Qui Tam Statute. Where's the Teeth?"
- "Evidentiary Issues of Valvular Heart Disease", ATLA. Mealey's.
- "In the Minds of the Defendant: Defending a Daubert Challenge", Mealey s.
- "Establishing Damages in a Drug Case", Mealey's.
- "Can this Statute of Limitations be Saved", November 2001, California Forum Trial Magazine
- "Driving a Truck Through the Defendant's Claim of Safety and Efficacy in Clinical Trials" July 2008, ATLA
- "Medicare Secondary Payor Act, Protocol under the New Statute", 2010, Minnesota Association for Justine.
- "Cardiotoxicity of Dextropropoxyphene and Propoxyphene", 2011, Harris Martin Conferences, New Orleans, San Diego.
- "A Primer on the Use of Qui Tam in a Nursing Home Case." Minnesota Association for Justice, 2012.
- "Current Science and Regulatory Considerations in Contaminated Steroid Litigation", American Association for Justice, January 25, 2013.
- "Federal Court Do's and Don'ts Panel", Minnesota Association for Justice, February 22, 2012, Dutoth MN.
- "Preparing for a Qui Tam Jury Trial", Taxpayers Against Fraud (TAF), October 24, 2013, Washington, DC.
- 'Power Morcellator Litigation Webinar', American Association for Justice, February 11, 2015,
   Webiner
- "Theories of Liability, Benicar", Mass Torts Made Perfect, April 15, 2015.
- "Boot Camp for Plaintiff's Attorneys, Mass Tort Med School" HB Conference May 7, 2015.
- "Reviewing Your Cases on Intake Under the False Claims Act", American Association for Justice, July 11, 2015, Montreal, Canada.
- "Novel Theories of Liability for Third Parties" HarrisMartin's National Opioid Litigation Conference, October 3, 2017, Chicago, III
- "Respecting Our Resources," Wisconsin PEO Women's Group, February 5, 2018, Eau Claire; Wisconsin.
- "Trial Lawyer Medical School: Minnesota Association for Justice, April 13, 2018, Minneapolis, MN.
- \*Litigation Update, Taxotere\* Mass Tort Medical School HB Conferences, May 10, 2018, New York, New York
- "Overcoming Preemption Challenges," HarrisMartin's "Bet the Company Litigation", May 30, 2018, Chicago, III.
- 'Surviving Preemption Challenges," HarrisMartin's Women's Issues in Litigation Conference, October 25, 2018 Santa Monica, CA.
- "Tools to Stop Sex Traffickers." HarrisMartin, November 27, 2018.
- "Water Contamination," HarrisMartin's January 30, 2019 Conference, Miami, Florida.

#### S. ANN SAUCER FEARS NACHAWATI -LAW FIRM-

Partner

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asaucer@fnlawfirm.com - www.fnlawfirm.com

Ann Saucer is a litigator with extensive experience in complex and multidistrict litigation, consumer protection, class actions, pharmaceutical litigation, and environmental and toxic torts.

Ann's practice focuses on appellate advocacy and briefing in complex litigation. A licensed attorney for over twenty-five years, Ann has won arguments before the United States Fifth Circuit Court of Appeals, the United States Ninth Circuit Court of Appeals, the Mississippi Supreme Court sitting En Banc, the Texas Court of Appeals, Dallas, and state and federal trial courts across the country.

Ann's federal MDL experience includes serving as a Co-Chair of the Plaintiffs' Briefing Committee in the In re National Prescription Opiate Litigation, MDL No. 2804 (N.D. Ohio), in 2018. Her opioid litigation experience precedes the formation of the MDL, and she was a key author of the 2017 petition to the Judicial Panel on Multidistrict Litigation requesting creation of the National Prescription Opiate Litigation MDL. Ms. Saucer also is working with leadership in the Texas opioid multidistrict litigation and recently spearheaded omnibus briefing in opposition to defendants' motion to dismiss. Ann was a key author of the federal court briefing defending the rights of Fen. Phen victims when the American Home Products Corporation class action settlement was renegotiated. She was a keynote speaker at Fen Phen litigation seminars. She was an author of oppositions to motions to dismiss in City of Greenville, Ill. v. Syngenta Crop Protection, Inc., a case in which community water systems from six different states brought suit for atrazine contamination of their water supplies. Ann has also spoken and published several articles on civil procedure.

Ann graduated first in her class from Loyola University School of Law, New Orleans, in 1991. After graduation Ann clerked for the Honorable Henry A. Politz, Chief Judge of the United States Fifth Circuit Court of Appeals, before joining a private practice in 1992. After working at an appellate boutique, she served as a shareholder at Silber Pearlman, P.C. and Baron & Budd, P.C.



#### PRACTICE AREAS:

Public Client Representation Water and Environmental Contamination Opioid Litigation Pharmaceutical & Medical Device Litigation

#### EDUCATION:

J.D., Loyola University School of Law, summe cum leude, 1991 B.S., University of New Orleans, 1985 (Chemistry)

#### LICENSED IN:

Texas

Louisiana

#### ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the First

U.S. Court of Appeals for the Third Circuit

U.S. Court of Appeals for the Fifth. Circuit

U.S. Court of Appeals for the Ninth

U. S. District Court for the Northern District of Texas.

U. S. District Court for the Eastern District of Texas

U. S. District Court for the Eastern District of Louisiana

U. S. District Court for the Western District of Louisiana

U.S. District Court for the Southern District of Illinois

U.S. District Court for the Northern District of Ohio

U.S. District Court for the District of Arizona

U.S. District Court for the District of Massachusetts

U. S. District Court for the Eastern District of Michigan

- Co-Author, Federal Jurisdiction and Procedure, 39 LOY, L. REV. 497 (1993).
- Author, <u>Federal Procedure Update</u>, FIFTH CIRCUIT REPORTER, Quarterlyarticles published 1992 – 1997.
- Author, <u>MBank Alamo National Association v. Raytheon Co.: A Strict Interpretation of Article Nine's Purchase Money Security Interest</u>, 36, LOY. L. REV. 501 (1990).

#### PRESENTATIONS:

- JUUL, E-Cigarettes, and Vaping Science: Defeating the Health Benefits Claim, HarrisMartin's MDL Conference (2019)
- Update on Fen-Phen Appeals, Mealey's Fen-Phen Litigation Conference (2003)
- Update on Fen-Phen Appeals, Williams/Petroff Fen-Phen Seminar (2003)
- Preserving Error for Appeal to the United States Fifth Circuit, Dallas Bar Association Labor Section (1998)
- 6th Annual Conference of State and Federal Appeals, University of Texas School of Law (1996).
- 11th Annual Fifth Circuit Appellate Practice and Advocacy Seminar, Fifth Circuit Bar (1996)
- 11th Annual Advanced Personal Injury Law Course, State Bar of Texas (1995)
- 10th Annual Fifth Circuit Appellate Practice and Advocacy Seminar, Fifth Circuit Bar (1995)

#### HONORS:

Top 100 Civil Plaintiff Trial Lawyers (National Trial Lawyers, 2017)

#### ASSOCIATIONS:

- American Association for Justice
- · Texas Trial Lawyers Association
- Dallas Bar Association
- Dallas Women's Bar Association

#### CIVIC AND COMMUNITY SERVICE AND APPOINTMENTS:

- City of Dallas Municipal Library Board Member, November 2009 through November 2017
- North East Texas Library System Advisory Council Member, September 1, 2007through 2011.
- City of Dallas Municipal Library Board Member, served At-Large at the appointment of Mayor Laura Miller, February 2007 through December 2007.

Ann is a local theater critic and fan, as well as an avid reader and lover of libraries.

#### NOTABLE CASES:

Argued before the Supreme Court of West Virginia in West Virginia ex ret. Discover Fin. Servs., Inc. v. Niberl, 744 S.E.2d 625 (W. Va. 2013), recognizing the attorney general's right to appoint and compensate special assistant attorneys general.

Argued before the Supreme Court of Mississippl sitting En Banc in *Fresenius Med. Care Holdings, Inc. v. Hood,* No. 2016-IA-01385-SCT, 2018 WL 4835175 (Miss. Oct. 4, 2018), allowing the plaintiff access to internal corporate documents erroneously claimed to be privileged.

Argued before the Louisiana Third Circuit Court of Appeal, and won a swift reversal of the trial court's dismissal of a case brought on behalf of the widow and children of a mesothelioma victim. Lee v. Am. Supply Co., 2018-893 (La. App. 3 Cir. Nov. 6, 2019).

In the United States Fifth Circuit Court of Appeals, argued on behalf of the State of Mississippl and won reversal of the trial court's judgment. *Hood ex rel. Miss. v. JP Morgan Chase & Co.*, 737 F.3d 78 (5th Cir. 2013).

In the United States Ninth Circuit Court of Appeals, argued on behalf of the State of Hawaii and won reversal of the trial court's judgment. *State of Hawaii v. HSBC Bank Nevada, N.A.*, 761 F.3d 1027 (9th Cir. 2014).

Before the Texas Court of Appeals, Dallas, argued on behalf of a mesothelloma victim, and other plaintiffs injured by asbestos, and won reversal of the trial court's dismissal of the plaintiffs' cases. Sewell v. Owens-Coming Fiberglass Corp., No. 05-97-1136-CV, 2000 Tex. App. LEXIS 5955 (Tex. App. – Dallas, Aug. 31, 2000).

In the United States District Court for the Southern District of West Virginia, argued on behalf of the State of West Virginia and won a favorable opinion in a complex case addressing procedural issues and banking regulations. *West Virginia ex rel. McGraw v. JPMorgan Chase & Co.*, 842 F. Supp. 2d 984 (S.D. W. Va. 2012).

#### PUBLICATIONS:

- Co-Author, <u>PFAS Water Contamination Litigation</u>: The Fight for Safe <u>DrinkingWater</u>, Headnotes (May 2019).
- Co-Author, <u>Our Modern Epidemic</u>, Trial (July 2018)\_
- Co-Author, All About Alternative Litigation Financing, 49:1 Trial 16 (January 2013).
- Author, Class Actions in the Fifth Circuit, 17 MISS.C.L. REV. 255 (1997).
- Co-Author, Revised Rule 11: Is it Safer? 15 MISS. C.L. REV. 271 (1995).
- Co-Author, Federal Jurisdiction and Procedure, 40 LOY, L. REV, 697 (1994).

## DARREN McDOWELL FEARS NACHAWATI

LAW FIRM

Partner 214.4

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Darren McDowell is a trial lawyer with extensive experience in complex and multidistrict litigation, consumer protection, class actions, pharmaceutical litigation, and environmental and toxic torts.

A licensed attorney for over twenty years, Darren has managed all phases of cases including but not limited to drafting pleadings, discovery and motions, taking and defending depositions, conducting hearings and trying cases as a first and second chair trial attorney. Darren has handled various high stakes litigation in both state and federal trial courts across the country.

As an accomplished Trial Attorney, Darren has tried a variety of cases to verdict including co-chairing *Lloyd S. Garvin, et al. v. AGCO Corporation a/k/a Allis Chalmers Company et al.*, which resulted in a verdict against various equipment manufacturers for an individual suffering from testicular mesothelioma. The verdict was a first of its kind and was noted as one of the highest verdicts in South Carolina for 2013. Additional samples cases include *Vicki Lynn Rogers v. Goodyear Tire and Rubber* and *Shirley Dickson v. Bell Helicopter.* Both were employer gross negligence cases which resulted in sizable verdicts for the plaintiffs.

Darren is an invited member of the American Academy of Trial Attorneys, The National Trial Lawyers top 100, and was voted by his peers to the Texas Super Lawyers Rising Stars listing from 2006-2009. Additionally, Darren is a member of the American Association for Justice, the Texas Trial Lawyers Association and the Dallas Trial Lawyers Association.

Darren has also served on the Board of Cafe Momentum, a non-profit restaurant providing jobs and life skills for at risk youth ranging in age from fourteen to eighteen.



#### PRACTICE AREAS:

Public Client Representation Water and Environmental Contamination Opioid Litigation Pharmaceutical & Medical Device Litigation

#### EDUCATION:

J.D., Texas Wesleyan School of Law, 1999 B.S., Austin College, 1996 (Political Science)

#### LICENSED IN:

Texas

## ADMITTED TO PRACTICE BEFORE:

U. S. District Court for the Northern District of Texas U.S. District Court for the Southern District of Texas. U. S. District Court for the District of Colorado

U.S. District Court for the Eastern District of North Carolina

#### ASSOCIATIONS:

American Academy of Trial Lawyers American Association for Justice Texas Trial Lawyers Association Dallas Trial Lawyers Association

#### RECOGNITIONS:

National Trial Lawyers Top 100 Texas Super Lawyer Rising Star, 2006-2008

# AMY J. SHAHAN FEARS NACHAWATI

Partner

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Amy works directly with Bryan Fears and Majed Nachawati on public client strategy and litigation management. Her perspective and practical leadership are an asset to the law firm.

She also oversees firm altorneys and staff handling intake, case evaluation, and filing for all the law firm's mass tort practice, which represents approximately 50,000 clients. She joined the firm from a plaintiffs' practice where she also managed staff handling prelitigation for a variety of workplace exposure and catastrophic injuries cases.

Amy has briefed substantive trial court motions and responses throughout her legal career. She has also litigated claims on behalf of victims exposed to toxic substances and the use of defective products and pharmaceuticals. For a period of time, Amy was in practice with her father, Wayne Shahan, during which time she represented clients in family law, probate, and personal injury matters

Amy attended Baylor University School of Law, where she earned her Juris Doctor and served on Baylor's Law Review. She earned a Bachelor's degree in English for Baylor University as well. After law school, she completed a one-year judicial clerkship with the Honorable Tom James of Texas's Fifth District Court of Appeals in Dallas.

During her free time, Amy serves as an advocate for autistic children and adults. She also loves to knit, crochet and read whenever she can.

#### PRESENTATIONS:

 Hot Topics in Mass Torts, Legal Marketing & Management Conference (July 2019)



#### PRACTICE AREAS:

Public Client Litigation
Pharmaceutical & Medical Device
Litigation
Environmental Litigation
Water Contamination

#### EDUCATION:

J.D. Baylor University School of Law, 1996 B.A. Baylor University, 1993

LICENSED IN:

Texas

### ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the Northern District of Texas

#### ASSOCIATIONS:

American Association for Justice Texas Trial Lawyers Association Dallas Bar Association

## STEVE S. SCHULTE FEARS NACHAWATI

Attorney

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As a trial attorney with Fears Nachawati, Steven serves families and communities harmed by unsafe practices and products. He has vast experience representing clients in cases involving toxic substances and defective drugs and medical devices. Steven has tried cases and obtained recoveries for clients in state and federal courts across the United States.

Steven has repeatedly been named to the Texas Super Lawyers Rising Stars list, an honor achieved by fewer than 3% of Texas lawyers, the Top Rated Lawyer, and The National Trial Lawyers Top 100 Trial Lawyers, and holds the highest AV Preeminent rating from Martindale-Hubbell for his ongoing and significant accomplishments in his field of practice. Additionally, Steven is a member of the American Association for Justice, the Texas Trial Lawyers Association, the Dallas Trial Lawyers Association, and the Dallas Bar Association.

When not practicing law, Steven enjoys engaging in outdoor activities, traveling and scuba-diving, lifting weights, volunteering, and helping mentor law students and young lawyers in Dallas.

#### ASSOCIATIONS:

Dallas Bar Association
Dallas Trial Lawyers Association
Texas Trial Lawyers Association
American Association for Justice



#### PRACTICE AREAS:

Public Client Representation Water and Environmental Contamination Opioid Litigation Pharmaceutical & Medical Device Litigation Texic Torts

#### EDUCATION:

J.D., Southern Methodist University Dedman School of Law, 2005; LL.M., Taxation, 2006 B.A., Southern Methodist University, *cum laude*, 2001 (Political Science)

#### LICENSED IN:

Texas Pennsylvania Arkansas

#### ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the Eastern District of Texas
U.S. District Court for the Northern District of Texas
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Western District of Michigan
U.S. District Court for the District of Colorado
U.S. District Court for the Eastern District of Colorado
U.S. District Court for the Eastern District of Wisconsin

# BRICE BURRIS FEARS NACHAWATI

Attorney

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Brice Burris is an experienced trial attorney and litigator. Recently, Brice was on the trial team with Fears Nachawati Partner Matthew McCarley that obtained a verdict of approximately \$166 million in a case against the perpetrators of a murder for hire scheme involving millions of dollars in life Insurance. Fox v. Mark and Virginia Buckland, Cause No. 141-277896-15 (141st Dist. Court Tarrant County, Texas).

Brice is a graduate of Texas A&M School of Law in Fort Worth. Brice received his Bachelor's Degree in Political Science from Texas A&M University and is a lifelong sports fan of the Aggies. Before law school, Brice worked for the Texas Senate in Austin where he gained a greater appreciation and interest for the law.

While in law school, Brice worked for the Law Offices of George J. Petrovich, Jr. After he graduated from law school, he joined Fears Nachawati, practicing civil litigation and trial work.

Originally from East Texas, Brice has lived all over the state. Brice enjoys traveling and studied abroad in Argentina during law school. In his spare time, Brice enjoys spending time outdoors, practicing archery, and spending time with his family.

#### ASSOCIATIONS:

Texas Trial Lawyers Association American Bar Association Dallas Bar Association Texas Young Lawyers Association Dallas Trial Lawyers Association



#### PRACTICE AREAS:

Public Client Representation Water and Environmental Litigation Personal Injury – Litigation Medical Malpractice Civil Litigation

#### EDUCATION:

JD. Texas A&M University School of Law, 2014 B.A. Political Science, Texas A&M University, 2010

#### LICENSED IN:

Texas

#### ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the Eastern District of Texas U.S. District Court for the Northern District of Texas.

## PATRICK A. LUFF FEARS NACHAWATI

LAW F

Attorney

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As a trial attorney with Fears Nachawati, Patrick serves families and communities harmed by unsafe practices and products. He practices regularly in Fears Nachawati's pharmaceutical and medical device litigation section and supports the public client litigation team and the appellate and motions section.

Patrick spent a number of years as a law professor. While teaching at Washington & Lee University, Arizona State University, and the University of Oklahoma, Patrick also published extensively on a variety of legal issues.

Since entering private practice, Patrick has obtained a number of significant victories for his clients, including a \$15.4 million wrongful death judgment and a precedent-setting win in the U.S. Court of Appeals for the Eleventh Circuit on the Issue of medical device preemption. *Mink v. Smith & Nephew*, 860 F.3d 1319 (11th Cir. 2017). In addition to be in leading briefing attorney in the *Mink* case, Patrick serves on the law and briefing committee for *In re Smith & Nephew Birmingham Hip Resurphacing (BHR) Hip Implant Products Liability Litigation*, MDL No. 2775.

In his spare time, Patrick enjoy spending time with his wife, two young children, and the family cat, Sammy Davis, Jr., Jr. (and no, that's not a typo!).

#### SELECTED PUBLICATIONS:

- Using Black Box Data in Crash Reconstruction, Trial (Fall 2020 forthcoming).
- Helping Business Owners Weather COVID-19, Trial (July 2020).
- Collision Avoidance Technology in Commercial Trucks, AIEGVoice (Summer 2020).
- Understanding the Texas Tort Claims Act, 51 Tex. Tech. L. Rev. 693 (2019) (with Jay Harvey).



#### PRACTICE AREAS:

Public Client Representation Water and Environmental Contamination Opioid Litigation Pharmaceutical & Medical Device Litigation Texic Torts

#### EDUCATION:

D.Phil. candidate (ABD). Faculty of Law, University of Oxford, University College J.D., University of Michigan Law School, *cum isude*, 2009 B.A., University of Texas, 2008 (Government)

#### LICENSED IN:

Texas New Mexico

## ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court
U.S. Court of Appeals for the Fifth
Circuit
U.S. District Court for the Eastern
District of Texas
U.S. District Court for the
Northern District of Texas
U.S. District Court for the
Western District of Texas
U.S. District Court for the
Southern District of Texas
U.S. District Court for the
Southern District of Texas
U.S. District Court for the Eastern
District of Texas
U.S. District Court for the District
of New Mexico

- Emergency Medical Care, Substantive Definitions and Interpretive Quandaries, 51 Tex. Tech. L. Rev. 785
  (2019) (with Bill Liebbe, Jay Harvey, and Jack McGehee).
- Evaluating the Regulatory Impact of the Tobacco Litigation, 48 Artz, St. L.J. 125 (2015).
- The Political Economy of Regulatory Litigation, in EDWARD ELGAR HANDBOOK OF POLITICAL ECONOMY AND LAW (Ugo Mattei & John Haskell, eds., 2015).
- Regulating Firearms Through Litigation, 46 Conn. L. Rev. 1581 (2014) (invited symposium contribution).
- Captured Legislatures and Public-Inferested Courts, 2013 Utah L. Rev. 519.
- Risk Regulation and Regulatory Litigation, 64 Rutgers L. Rev. 173 (2011).
- The Market Value Rule of Damages and the Death of Irreparable Injury, 59 CLEV, ST. L. REV, 361 (2011).
- Bad Bargains: The Mistake of Allowing Cost-Benefit Analyses in Class Action Certification Decisions, 41 U. Mem. L. Rev. 65 (2010).

#### PUBLICATIONS:

- Handling Business Interruption Insurance Claims and Other First-Party Insurance Claims Webinar, American Association for Justice (March 2020).
- Lessons Learned from a Negligerit Entrustment Verdict: Holding the Employer Accountable, American
  Association for Justice Jazz Fest (May 2019).
- Innovative Liability Theories in Medical Malpractice, Texas Trial Lawyers Association (December 2018).
- Evaluating the Regulatory Impact of the Tobacco Litigation, Arizona State University Legal Scholars Conference (March 2014).
- Regulating Firearms Through Litigation, "The Second Amendment and Gun Control," Connecticut Law Review Symposium (November 2013).
- Captured Legislatures and Public-Inferested Courts, Junior Federal Courts Workshop (October 2013)

# MICHAEL L. GORWITZ FEARS NACHAWATI

Attorney

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Michael Gorwitz joined the firm's appellate and motions section in 2020. The section handles substantive briefing and appellate matters across the law firm's practice areas in state and federal courts across the country.

Michael's experience working for appellate and trial courts have provided him valuable insight for his work at Fears Nachawati. Michael spent two years as a law clerk for the Minnesota Court of Appeals, and two years prior to that as a senior law clerk for a Minnesota district court. Before law school, he studied English literature, completing all but his dissertation toward a Ph.D. in the subject.

Michael's practice is focused on public client litigation and pharmaceutical and medical device litigation. He works on behalf of government entities in consumer protection and environmental litigation.

Michael also spent some time as a freelance production assistant for Warner Brothers, Fox Searchlight, and other motion picture companies, coordinating the needs of various departments and gaining exposure to this high pressure environment.

He is a freelance contributor of music criticism and sports writing and publisher of the sports and culture blog fieldsofplay.tumblr.com.

#### PRACTICE AREAS:

Public Client Representation
Water & Environmental Contamination
Opioid Litigation
Pharmaceutical & Medical Device
Litigation

#### EDUCATION:

J.D. Brooklyn Law School, *cum laude*, 2016 Ph.D. candidate (ABD). University of Michigan (English Literature) M.A. New York University, 2008 B.A. University of Wisconsin, *Phi Bate Kappa*, 2005 (English & Political Science)

#### LICENSED IN:

Minnesota